

Exhibit “A”

Alphonse D. Bartelloni, Esq.-ID# 031482000

BIRK HOLD & MAIDER, LLC

189 Franklin Avenue, Suite 1

Nutley, NJ 07110

Phone: 973-947-4670

Attorneys for Plaintiff

MORGAN HANUS,

Plaintiff,

v.

DOLLAR TREE STORES, INC., JOHN DOE

1-10 (fictitious name representing an

unknown individual) ABC CORPORATIONS

1-10 (fictitious name representing an

unknown corporation) and XYZ

MAINTENANCE COMPANY 1-10

(fictitious name representing an unknown
corporation)

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY

DOCKET NO.: ESX-L-

CIVIL ACTION

COMPLAINT AND JURY DEMAND

Plaintiff, MORGAN HANUS residing in Worcester, County of Worcester, State of
Massachusetts, individually, by way of Complaint against the defendants, say:

FIRST COUNT

1. On or about, August 30, 2020, and for some time prior thereto, defendant(s),
DOLLAR TREE STORES, INC., was/were the sole owner(s), management company(ies) and/or
was/were in the sole control and/or management and/or was/were otherwise responsible for the
general condition, safety, upkeep, and overall maintenance of the premises commonly known as
DOLLAR TREE STORES, INC., 600 Bloomfield Avenue, Bloomfield, County of Essex, State of
New Jersey.

2. On or about August 30, 2020, JOHN DOE 1-10 (fictitious names representing unknown individuals) ABC CORPORATIONS 1-10 (fictitious names representing unknown corporations) were individuals, corporations, maintenance company(ies), manufacturers, sole proprietors, agents, representatives, or other persons whose identity is currently unknown and who individually or in conjunction with all other defendants aforementioned contributed to the injuries which are the subject matter of this Complaint.

3. On the date aforesaid, defendant(s) DOLLAR TREE STORES, INC., JOHN DOE 1-10 (fictitious names representing unknown individuals) and ABC CORPORATIONS 1-10 (fictitious names representing unknown corporations) by and through its/their employee(s), agent(s), representative(s) and/or assign(s), defendant(s), failed to properly maintain, inspect and/or repair the premises. Specifically, the plaintiff MORGAN HANUS was caused to be severely injured as a result of slipping on a plastic bag at or near the floor of a register which created a dangerous condition at or near the DOLLAR TREE STORES, INC., 600 Bloomfield Avenue, Bloomfield, County of Essex, State of New Jersey. As a result, plaintiff was caused to sustain severe and permanent personal and bodily injuries.

4. On the date aforesaid, defendant(s) DOLLAR TREE STORES, INC., JOHN DOE 1-10 (fictitious names representing unknown individuals) and ABC CORPORATIONS 1-10 (fictitious names representing unknown corporations) were negligent in the overall care, management, maintenance, repair of the premises and otherwise failed to keep said premises in a safe condition, free of hazards or objects that presented a hazard, so that persons of the general public or business invitees, and especially the plaintiff, when in the area, would not be injured.

The defendant(s), DOLLAR TREE STORES, INC., JOHN DOE 1-10 (fictitious names representing unknown individuals) and ABC CORPORATIONS 1-10 (fictitious names representing unknown corporations) breached that duty by failing to maintain, inspect and/or repair its/their/the aforesaid premises and was/were otherwise careless, reckless and/or negligent in allowing this dangerous, hazardous and/or unsafe condition to exist and/or remain. Without warning the plaintiff of this dangerous, hazardous and/or unsafe condition, defendant(s), DOLLAR TREE STORES, INC., JOHN DOE 1-10 (fictitious names representing unknown individuals) and ABC CORPORATIONS 1-10 (fictitious names representing unknown corporations) permitted and invited the plaintiff to use the aforesaid premises, causing the plaintiff MORGAN HANUS, to sustain serious and permanent injuries.

5. As a direct and proximate result of the defendant(s) failure to properly maintain, inspect and/or repair the aforesaid premises and to keep same free of hazards or hazardous conditions and to otherwise protect against the injury(ies) herein complained of plaintiff MORGAN HANUS, was caused to slip and fall and be severely injured due to a dangerous condition at or near the DOLLAR TREE STORES, INC., 600 Bloomfield Avenue, Bloomfield, County of Essex, State of New Jersey and did then and there receive severe and permanent injuries and incurred considerable medical expenses, in being examined and treated for his/her injuries and was/were prevented from performing his/her/their usual activities.

6. Defendants DOLLAR TREE STORES, INC., JOHN DOE 1-10 (fictitious names representing unknown individuals) and ABC CORPORATIONS 1-10 (fictitious names representing unknown corporations) were negligent in that a) created or allowed a foreseeable

and/or dangerous condition to exist b) failed to maintain their property free of hazards c) failed to place warning signs or other notifications of a dangerous condition; d) allowed a hazardous condition to exist e) otherwise behaved in a careless, reckless and negligent manner so as to cause the plaintiff to sustain serious and permanent injuries.

7. By reason thereof, plaintiff MORGAN HANUS, has/have incurred and will incur loss of income and medical expenses for treatment of said injuries.

WHEREFORE, plaintiff MORGAN HANUS, demands Judgment against the defendants, DOLLAR TREE STORES, INC., JOHN DOE 1-10 (fictitious names representing unknown individuals) and ABC CORPORATIONS 1-10 (fictitious names representing unknown corporations), jointly, severally and in the alternative for:

- a) Compensatory damages;
- b) Prejudgment interest;
- c) Costs of suit; and
- d) For such other relief as the Court may deem just and equitable.

SECOND COUNT

1. Plaintiff repeats each and every allegation contained in the First Count of the Complaint and Jury Demand and incorporates the same by reference as if fully set forth herein.

2. The manner in which defendant(s) DOLLAR TREE STORES, INC., JOHN DOE 1-10 (fictitious names representing unknown individuals) and ABC CORPORATIONS 1-10 (fictitious names representing unknown corporations) maintained, inspected and otherwise allowed a dangerous condition, to exist upon the premises so that it constituted a nuisance.

3. As a result, plaintiff was caused to be injured and suffer great pain, discomfort, anguish, anxiety, medical and other expenses, damage, and permanent damage, and will in the future continue to suffer all of the above.

WHEREFORE, plaintiff MORGAN HANUS demands Judgment against the defendants, DOLLAR TREE STORES, INC., JOHN DOE 1-10 (fictitious names representing unknown individuals) and ABC CORPORATIONS 1-10 (fictitious names representing unknown corporations) jointly, severally and in the alternative for:

- a) Compensatory damages;
- b) Prejudgment interest;
- c) Costs of suit; and
- d) For such other relief as the Court may deem just and equitable.

THIRD COUNT

1. Plaintiff MORGAN HANUS repeats each and every allegation contained in the First Count of the Complaint and Jury Demand and incorporates the same by reference as if fully set forth herein.

2. At the aforesaid date time and place defendant(s) and/or XYZ MAINTENANCE COMPANY 1-10 (said names being fictitious) was the maintenance company and/or agents, representatives, employees and assigns thereof who were responsible for the general condition and maintenance of the premises where the plaintiffs were injured.

3. At all times relevant hereto, defendant(s) XYZ MAINTENANCE COMPANY 1-10 (said names being fictitious) their agents, representatives, employees, and assigns failed to

perform their duties and/or otherwise allowed a dangerous and hazardous condition to exist causing plaintiff MORGAN HANUS, to be struck, fall, and sustain serious and permanent personal and bodily injuries.

WHEREFORE, plaintiff MORGAN HANUS, demands judgment against defendants XYZ MAINTENANCE COMPANY 1-10 (said names being fictitious), on this count, jointly, severally and in the alternative for:

- a) Compensatory damages;
- b) Prejudgment interest;
- c) Costs of suit; and
- d) For such other relief as the Court may deem just and equitable.

FOURTH COUNT

1. Plaintiff repeats each and every allegation of the First through Third Counts of this Complaint and incorporates the same by reference as if fully set forth herein.

2. On or about August 30, 2020, Defendant(s), DOLLAR TREE STORES, INC., JOHN DOE 1-10 (fictitious names representing unknown individuals) and ABC CORPORATIONS 1-10 (fictitious names representing unknown corporations) XYZ MAINTENANCE COMPANY 1-10 (said names being fictitious) by and through its/their employee(s), agent(s), representative(s) and/or assign(s), was/were responsible for the inspection and/or repair of DOLLAR TREE STORES, INC. at the premises located at or near 600 Bloomfield Avenue, Bloomfield, County of Essex, State of New Jersey.

3. Defendant(s), DOLLAR TREE STORES, INC., JOHN DOE 1-10 (fictitious names representing unknown individuals) and ABC CORPORATIONS 1-10 (fictitious names representing unknown corporations) XYZ MAINTENANCE COMPANY 1-10 (said names being fictitious) performed its/their work in such a careless, reckless and/or negligent manner so as to create a dangerous, hazardous and/or unsafe condition which caused the plaintiff to sustain serious and permanent injury.

4. As a result of said defendant(s) negligence, recklessness and/or carelessness, plaintiff sustained severe and permanent bodily injury, suffered great pain and was unable to perform her usual duties and occupation and was compelled to obtain medical aid and treatment in an endeavor to alleviate and/or cure her injuries.

5. By reason thereof, plaintiff MORGAN HANUS also incurred and did sustain damage for medical expenses and loss of income.

WHEREFORE plaintiff MORGAN HANUS demands Judgment against the defendants, DOLLAR TREE STORES, INC., JOHN DOE 1-10 (fictitious names representing unknown individuals) and ABC CORPORATIONS 1-10 (fictitious names representing unknown corporations) XYZ MAINTENANCE COMPANY 1-10 (said names being fictitious) jointly, severally and in the alternative, for:

- a) Compensatory damages;
- b) Prejudgment interest;
- c) Costs of suit; and
- d) For such other relief as the Court may deem just and equitable.

BIRK HOLD & MAIDER, LLC
Attorneys for Plaintiff



By: _____
Alphonse D. Bartelloni, Esq.
Attorney ID#: 031482000

Dated: June 24, 2022

CERTIFICATION PURSUANT TO R. 4:5-1

I hereby certify that the matter in controversy is not the subject of any other action pending in any court or arbitration proceeding, nor is any other action or arbitration proceeding contemplated. I further certify that there is/are no other parties who should be joined in the within action.

BIRK HOLD & MAIDER, LLC
Attorneys for Plaintiff



By: _____
Alphonse D. Bartelloni, Esq.
Attorney ID#: 031482000

Dated: June 24, 2022

DESIGNATION OF TRIAL COUNSEL

Please take notice that pursuant to R. 4:25-4, Alphonse D. Bartelloni, Esq., is hereby designated as trial counsel in this matter.

BIRK HOLD & MAIDER, LLC

Attorneys for Plaintiff



By: _____
Alphonse D. Bartelloni, Esq.
Attorney ID#: 031482000

Dated: June 24, 2022

TIME-UNIT ARGUMENT

Please take notice that pursuant to R. 1:7-1, Plaintiff reserves the right to use a time-unit argument with reference to unliquidated damages.

BIRK HOLD & MAIDER, LLC

Attorneys for Plaintiff



By: _____
Alphonse D. Bartelloni, Esq.
Attorney ID#: 031482000

Dated: June 24, 2022

JURY DEMAND

The plaintiff hereby demands a jury trial as to each and every issue in this action so triable.

BIRK HOLD & MAIDER, LLC

Attorneys for Plaintiff



By: _____
Alphonse D. Bartelloni, Esq.
Attorney ID#: 031482000

Dated: June 24, 2022

